

## State of Wisconsin | DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
Ruthe E. Badger, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TDD 608-275-3231

June 5, 2000

File Ref: 03-11-000502

PDF

Mr. Scott Kuenzi  
908 East Dayton Street  
Madison, WI 53703

Subject: Final Closure for Rio Aero Club, W5202 Larson Road, Rio, Columbia County

Dear Mr. Kuenzi:

On June 3, 1999, the South Central Region Closure Committee reviewed your site for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On the same date you were notified that the Closure Committee had granted conditional closure to this case.

On May 31, 2000, the Department received correspondence indicating that you have complied with the conditions of closure. Monitoring wells at your site have been abandoned, and a Groundwater Use Restriction has been recorded with the Columbia County Register of Deeds. Based on the correspondence and data provided, it appears that your site has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

However, please be aware that this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at the number below.

Sincerely,

Troy H. Clausen  
Hydrogeologist  
Remediation & Redevelopment Program  
(608) 275-3292  
claust@mail01.dnr.state.wi.us

79	4-13-99
84	6-03-99
50	6-05-00
11	6-05-00

cc: Eric Nelson, BT2, Inc., 2830 Dairy Drive, Madison, WI 53718-6751  
Nicole Nevil, WDNR

Rio Aero Club  
03-11-000502

621689

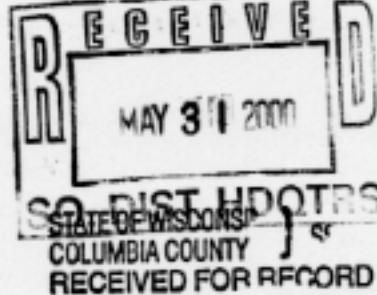
Document Number

## GROUNDWATER USE RESTRICTION

Declaration of Restrictions

In Re: See attached deed, Exhibit A, hereby made a part of this restriction.

STATE OF WISCONSIN )  
                        )  
COUNTY OF COLUMBIA ) ss



MAY 23 2000

Denny Jull  
Reg. of Deeds at 2:35 P.M.

## Recording Area

## Name and Return Address

Scott Kueng  
908 E. Dayton St.  
Madison, WI 53703

WHEREAS, Rio Aero Club, Inc., a Wisconsin Corporation, located at Rio, Wisconsin, is the owner of the above-described property.

024-12-A  
Parcel Identification Number (PIN)

WHEREAS, one or more petroleum discharges have occurred on this property. Benzene-contaminated groundwater above ch. NR 140, Wisconsin Administrative Code, enforcement standards existed on this property at the following locations on December 31, 1998: Monitoring well-2, (MW-2), at a concentration of forty-one micrograms per liter (41 µg/l); MW-7 at a concentration of six and four-tenths micrograms per liter (6.4 µg/l). See Figure 3. Figure 3 is attached hereto and made a part hereof.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further groundwater or soil remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater contamination exceeding ch. NR 140, Wis. Adm. Code, groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality does not comply with drinking water standards in ch. NR 809, Wis. Adm. Code, is restricted by ch. NR 811 and ch. NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the Department's written determination, may be recorded to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

By signing this document, Scott Kuenzi asserts that he is duly authorized to sign this document on behalf of Rio Aero Club, Inc.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 23<sup>rd</sup> day of May, 19<sup>00</sup>00

Signature: Scott A. Kuenzi  
Printed Name: Scott A. Kuenzi

Subscribed and sworn to before me  
this 23<sup>rd</sup> day of May, 19<sup>00</sup>00

Kelly M. Magnan  
Notary Public, State of Wisconsin  
My commission expires: 1/24/01

This document was drafted by the Wisconsin Department of Natural Resources.

This Indenture, Made this 28th day of December, A. D. 1961,

between John Ludi, a single man,

part X of the first part and  
RIO ARBO CLUB, INC.

a Corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, located at Rio, Wisconsin, party of the second part.

Witnesseth, That the said part X of the first part, for and in consideration of the sum of  
One Dollar and Other Valuable Consideration

to him in hand paid by the said part X of the second part, the receipt whereof is hereby confessed and acknowledged, he is given, granted, bargained, sold, remised, released, aliened, conveyed and confirmed, and by these presents do give, grant, bargain, sell, remise, release, alien, convey and confirm unto the said part X of the second part, its successors and assigns forever, the following described real estate situated in the County of Columbia and State of Wisconsin, to-wit:

All that part of the Northwest Quarter ( $\frac{1}{4}$ ) and the Northeast Quarter ( $\frac{1}{4}$ ), of Section One (1), Township Eleven (11) North, Range Ten (10) East, described as follows:

The North 614 feet of the Southeast Quarter ( $\frac{1}{4}$ ) of the Northwest Quarter ( $\frac{1}{4}$ ) of said Section One (1);

Also all that part of the North 614 feet of the South One-half ( $\frac{1}{2}$ ) of the Northeast Quarter ( $\frac{1}{4}$ ) of said Section One (1), lying westerly of the right of way of U. S. Highway 16 as it existed prior to January 1, 1961;

Excepting from the above described lands a strip or parcel described as follows: A strip of land, 173 feet in length lying westerly of said right of way limits of U. S. Highway 16, extending southerly from the north line of said north 614 feet of the South One-half ( $\frac{1}{2}$ ) of the Northeast Quarter ( $\frac{1}{4}$ ) of Section One (1), being 36.5 feet wide at its northerly boundary and 49.5 feet wide at its southerly boundary;



Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining; and all estate right, title, interest, claim or demand whatsoever, of the said part X of the first part, either in law or equity, either in possession or expectancy of, in and to the above bargained premises, and their hereditaments and appurtenances.

To Have and To Hold the said premises as above described with the hereditaments and appurtenances, unto the said part X of the second part, and to its successors and assigns FOREVER.

And the said John Ludi, a single man,

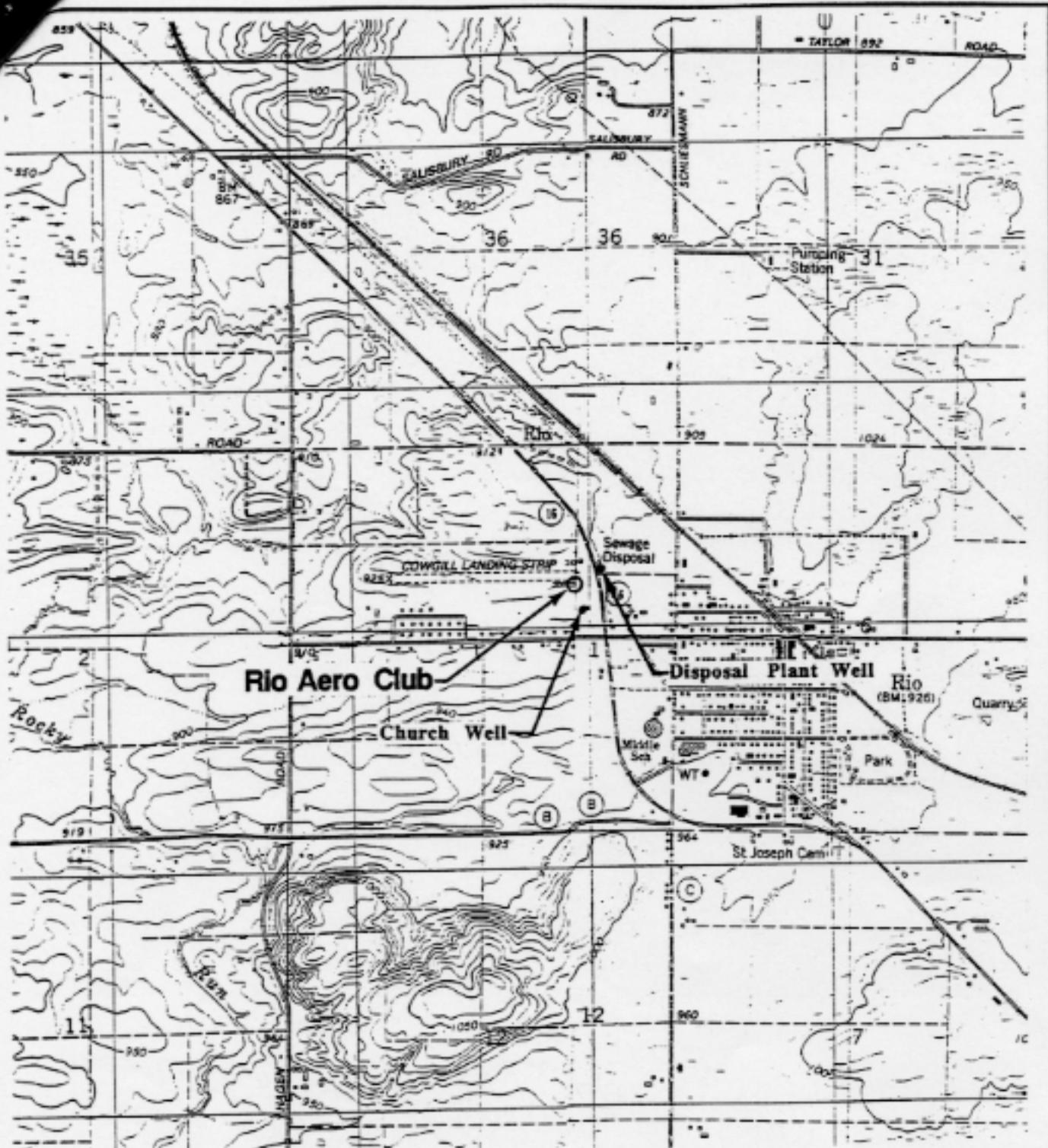
for his heirs, executors and administrators, do as covenant, grant, bargain, and agree to and with the said party of the second part, its successors and assigns, that at the time of the encasing and delivery of these presents he is well seized of the premises above described, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple, and that the same are free and clear from all incumbrances whatever

and that the above bargained premises in the quiet and peaceable possession of the said part X of the second part, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, he will forever WARRANT AND DEFEND.

In Witness Whereof, the said part X of the first part has hereunto set his hand and seal this 28th day of December, A. D. 1961.

SIGNED AND SEALED IN PRESENCE OF  
 Andrew C. Fadness  
 George H. Halverson  
 George H. Halverson

John Ludi (SEAL)  
 (SEAL)  
 (SEAL)  
 (SEAL)



WYOCENA, WIS.  
NE4 POYNETTE 15' QUADRANGLE  
43089-03-TF-024

1984

UTM GRID AND 1984 MAGNETIC NORTH  
DECLINATION AT CENTER OF SHEET

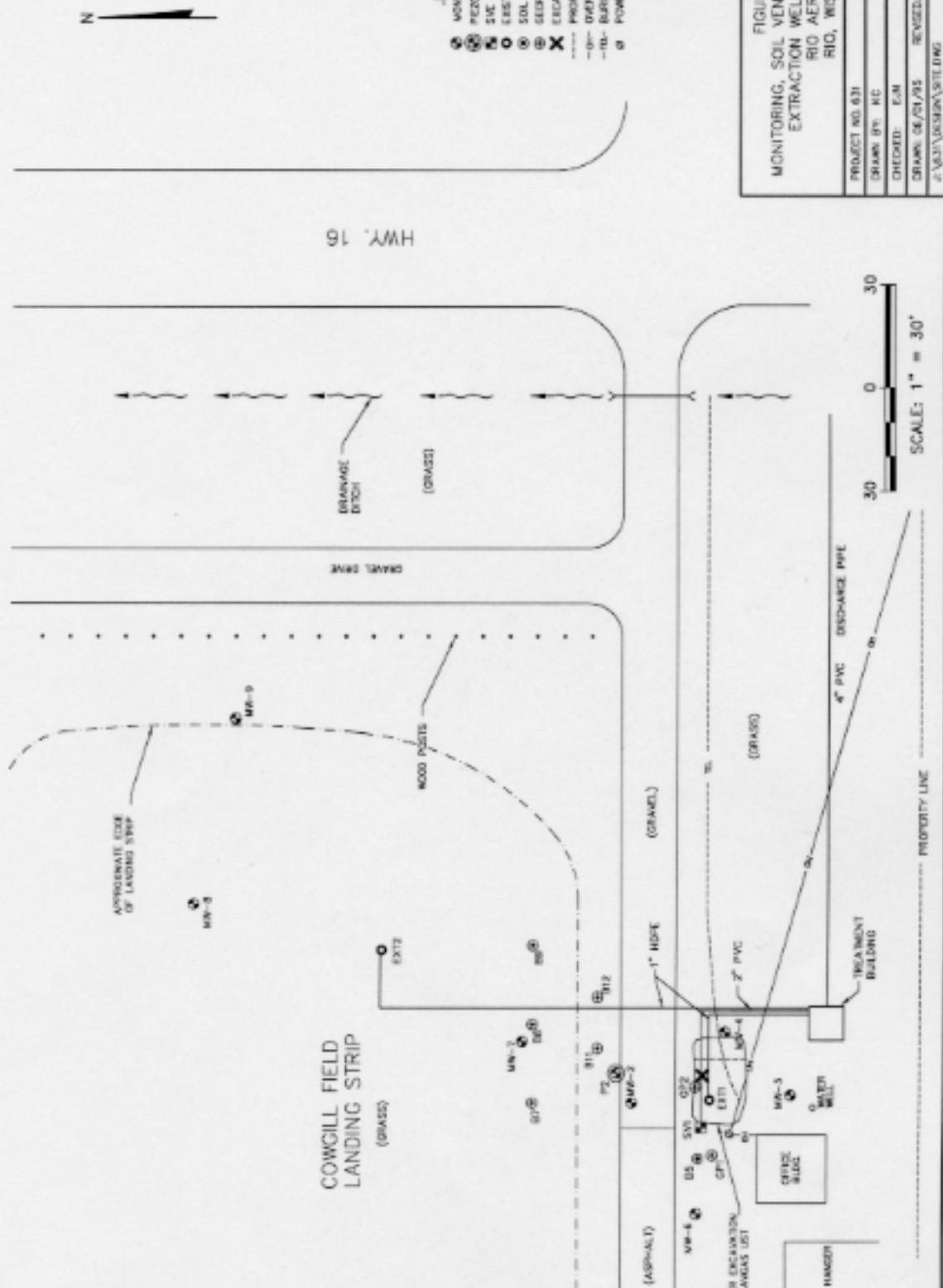
DMA 3170 IV NE-SERIES V861



QUADRANGLE LOCATION

PROJECT NO.	631
DRAWN BY:	KP
CHECKED BY:	KC
DRAWN:	06/29/95
SCALE:	1" = 2000'

FIGURE 1  
SITE LOCATION MAP  
RIO AERO CLUB  
RIO, WISCONSIN



N

LEGEND

MONITORING WELLS
PERIMETER
SVC WELL
EXISTING DRACTION WELL
PROPERTY LINE
OVERHEAD ELECTRIC LINE
OVERHEAD TELEPHONE LINE
POWER POLE
-SL- BURIED TELEPHONE LINE
WATER TABLE ELEVATION MEASURED ON 12/17/90
WATER TABLE CONTOUR
APPROXIMATE GROUNDWATER FLOW DIRECTION

30 0 30  
SCALE: 1" = 30'

FIGURE GW-1  
GROUNDWATER CONTOUR MAP  
RIO AERO CLUB  
RIO, WISCONSIN  
**BT<sup>2</sup> Inc.**  
PROJECT NO. 631  
DRAWN BY: KP  
CHECKED: LN  
DRAWN: 9/20/91 RELEASED: 12/10/95  
L-GD3 MVR1012-294.Dwg

